

Attorney Docket No. 01645/LH

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant(s): H. KIMURA et al

Serial No. : 10/005,532

Filed : October 29, 2001

For : PHOTSENSOR DEVICE
AND DISK INSPECTION
APPARATUS USING IT

Art Unit : 2882

Examiner : Hoon K. Song

**RE-SUBMISSION OF AMENDMENT UNDER 37 CFR 1.116
AND RE-SUBMISSION OF NOTICE OF APPEAL**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

RECEIVED
CENTRAL FAX CENTER

MAY 27 2004

OFFICIAL

CERTIFICATE OF FACSIMILE
TRANSMISSION
TO NO. 1-571-273-2494

TOTAL PAGES: 25
I hereby certify that this
paper is being facsimile
transmitted to the
Asst. Commissioner for
Patents Office
on the date noted below.


Ian T. Volek

Dated: May 27, 2004

In the event that this Paper
is late filed, and the
necessary petition for
extension of time is not filed
concurrently herewith, please
consider this as a Petition
for the requisite extension of
time, and to the extent not
tendered by check attached
hereto, authorization to
charge the extension fee to
Account No. 06-1378.

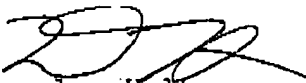
As requested by the Examiner, transmitted herewith are copies of:

1. An Amendment under 37 CFR 1.116 and Petition for Two Month Extension of Time filed on March 17, 2004;
2. A return receipt postcard showing receipt by the USPTO of the Amendment under 37 CFR 1.116;
3. A facsimile receipt transmission showing receipt by the USPTO of the Amendment under 37 CFR 1.116 as re-submitted by facsimile on April 16, 2004;
4. A Notice of Appeal and Petition for Third Month Extension of time filed on April 19, 2004;

5. A return receipt postcard showing receipt by the Patent Office of the Notice of Appeal; and
6. Canceled checks No. 94450 for \$420.00, No. 94717 for \$530.00, and No. 94718 for \$330.00 showing that the USPTO has received all necessary fees for the Petition for a Two Month Extension of Time, the Petition for a Third Month Extension of Time, and the Notice of Appeal.

It is respectfully requested that the Amendment under 37 CFR 1.116 and Notice of Appeal be entered.

Respectfully submitted,


Douglas Holtz
Reg. No. 33,902

Frishauf, Holtz, Goodman & Chick, P.C.
767 Third Avenue - 25th Floor
New York, New York 10017-2023
Tel. No. (212) 319-4900
Fax No. (212) 319-5101
DH:iv
encs.

Application No. 10/005,532
Response to Office Action

RECEIVED
CENTRAL FAX CENTER

Customer No. 01933

MAY 27 2004
OFFICIAL

BOX AF
EXPEDITED PROCEDURE
SERIAL NO. 10/005,532
GROUP: 2882

Attorney Docket No. 01645/LH

Express Mail Mailing Label

No.: EV 443 205 149 US

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Date of Deposit: March 17, 2004

Applicant(s): H. KIMURA et al

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

Serial No. : 10/005,532

Filed : October 29, 2001

For : PHOTSENSOR DEVICE
AND DISK INSPECTION
APPARATUS USING IT


Ian T. Volek

Art Unit : 2882

Examiner : Hoon K. Song

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper to Account No. 06-1378.

**AMENDMENT UNDER 37 CFR 1.116
EXPEDITED PROCEDURE-EXAMINING GROUP 2882**

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

This is responsive to the Final Office Action mailed October 17, 2003, the term for response to which is extended by two months by Petition filed concurrently herewith to March 17, 2004.

Amendments to the Claims are set forth in the listing of claims which begins on page 2 of this paper. Claims 1-3 are amended, and claim 4 is maintained.

Remarks begin on page 4 of this paper.